

### **Remarks**

The present response is to the Office Action mailed in the above referenced case on October 15, 2004. Claims 1-42 are pending in the application. The Examiner has objected the specification due to informalities. In response, applicant has amended the specification to comply with the Examiner's requirements. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Langseth et al. (U.S. 6,662,195), hereinafter Langseth and Jamtgaard et al. (U.S. 6,430,624), hereinafter Jamtgaard. Claims 31-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Langseth.

Applicant has carefully reviewed the prior art references provided by the Examiner, and the Examiner's statements and rejections of the instant Office Action. In response to the Examiner's merit rejections of applicant's claims 1-42, applicant herein cancels the standing claims 1-42, and submits a new set of claims which more specifically recite the subject matter of applicant's invention regarded as patentable.

The new independent claims 43, 54, 71 and 82, which recite applicant's network-based system, software application and methods for gathering real-time data feeds and stripping the feeds of selected data for rendering to the requesting user, and method for generating and transmitting user alerts to the requesting user, respectively, now specifically recite what is considered to be unique and patentable subject matter, which is enabling the requesting user, using an electronic interactive interface provided by the service enabled by the system, to retrieve and edit existing pre-programmed service templates, and to select from pre-defined default service templates provided by the entity hosting the service enabled by the system.

Now referring the Examiner to applicant's specification, beginning specifically at figure 3b, and the supporting description in the specification (beginning on page 14, line 8), applicant's Portfolio update window 311 is divided into two regions 312, for Alerts Settings, and 313 for Time Settings. The settings are editable by symbol and alias, and the electronic interactive interface provided by the entity hosting the service, have drop-down menus for the user to specify a template for each stock listed. The drop-down menu comprises default templates, as well as a range of other selectable templates, which may be provided by the entity hosting the service, or may be designed by the user. Figure 3b illustrates examples of such drop-down menus for template selection.

Referring now to applicant's Figs. 3b and 3d, the service provided by the hosting entity provides a number of pre-defined templates, in order to ease the task for the user of creating templates for configuring the user's desired information. The display templates are created, edited or selected by the subscribing user in order to configure the rendering of the stripped data from the data feeds from external sources to the system, to be compatible with the user's particular device, whether it be a PC, portable PDA, cellular phone, and so on, so as to make the data rendered to the user compatible for display with the user's particular device. Applicant's Fig. 4b exemplarily illustrates examples of such display templates created and provided by the service-providing entity. Applicant's Figs. 4c, 4d, and supporting description in the specification, further illustrate and describe additional exemplary examples of such pre-defined display templates, accessible to the subscribing user via the electronic interactive interface via pull down menus embedded in the interface.

In addition to enabling the subscribing user via the interactive interface to select, retrieve and edit stored templates created by the user via the pull-down menus, as well as pre-defined templates created by the service provider,

applicant's invention further teaches, as described with reference to applicant's Fig. 5a through 7b and supporting description in the specification, the subscribing user is further enabled to create and edit Marketing Alerts templates by selecting from a list of stored templates previously created by the user, or selecting from a list of pre-defined Marketing Alerts templates provided by the entity hosting the service.

Upon applicant's careful and thorough review of the references cited and applied by the Examiner, it is applicant's opinion that the teachings of the combined references pertaining to configuring the service system to render the parsed data to the requesting subscribing user according to specific user profiles, and that creation and storage of such user profiles which dictate the way the stripped data is rendered to the user, is certainly vague and inconclusive, and applicant believes this aspect of applicant's invention, as embodied in the new set of claims, of enabling the user to configure using pre-programmed templates, and to select from pull down menus such criteria as Market Alerts, etc., as explained above, clearly and unarguably differentiates applicant's invention as amended over that of the prior art presented by the Examiner, as well as other prior art systems known by the inventor.

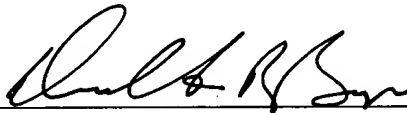
For these reasons, applicant asserts that the new independent claims 43, 54, 71 and 82 are clearly patentable over the references provided. The new claims 44-53, 55-70, 72-81 and 83-95, similar to the original depending claims, but now agreeing in language with the respective independent claims from which they depend, are then patentable on their own merits, or at least as depended from a patentable claim.

As all of the newly presented claims standing for examination have been demonstrated to be patentable over the art of record, applicant respectfully requests reconsideration, and that the present case be passed quickly to issue. If

there are any time extensions needed beyond any extension specifically requested with this response, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,

Karen Eleanor Board et al.

by   
Donald R. Boys  
Reg. No. 35,074

Donald R. Boys  
Central Coast Patent Agency  
P.O. Box 187  
Aromas, CA 95004  
(831) 726-1457